

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE:)
MICHAEL J. DELANEY)
Debtor,)
)

J. BRIAN MOORE)
LAURA M. MOORE,)
Plaintiffs,)
)

CIVIL ACTION NO. 04-10393 NG

vs.)
)

DAVID B. MADOFF, TRUSTEE IN)
BANKRUPTCY FOR MICHAEL J.)
DELANEY; GERRITY COMPANY,)
INCORPORATED; CAPE COD)
LUMBER CO., INC.; SAMPSON)
LUMBER CO., INC.; C.N.J., INC.)
D/B/A WHITMAN CARPET & TILE;)
NORTH RIVER PLUMBING;)
HEATING & WATER FILTRATION;)
P.A. LANDERS, INC.;)
COMMONWEALTH OF)
MASSACHUSETTS, DEPARTMENT OF)
REVENUE; KEVIN KILEY and)
SUSAN KILEY; SCOTT KEARNS and)
SANDRA KEARNS & TOWN OF)
PEMBROKE, DELANCON)
CORPORATION, MATTHEW)
DELANEY, PAMELA E. INGHAM f/k/a)
PAMELA E. DELANEY, MICHAEL)
J. DELANEY, TRUSTEE OF THE)
QUAIL RUN REALTY TRUST)
and MICHAEL DELANEY,)
Defendants.)

NOTICE OF APPEAL

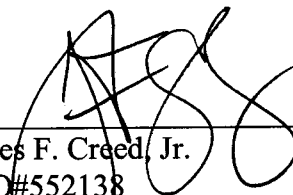
NOW COME J. Brian Moore and Laura M. Moore, the Plaintiffs/Appellants in the above-captioned civil action, and pursuant to Fed.R.App.P. 3(a); 6(a) and (b)(2)(A) appeal to the United States Court of Appeals for the First Circuit from the final judgment,

order, or decree of the District Court for the District of Massachusetts, entered in this civil action on the 21st day of April 2005, and after denial of a motion for rehearing on May 21, 2005 denying Plaintiffs' claims for relief including those under 11 USC §365(i).

The names of all parties to the judgment order, or decree appealed from and the names, addresses, and telephone numbers of their respective attorneys are as follows:

See list of parties and counsel attached hereto as Exhibit "A".

Respectfully Submitted,
For the Plaintiffs,
By their Attorney,

A handwritten signature in black ink, appearing to read "JF Creed", is written over a horizontal line.

James F. Creed, Jr.
BBO#552138
Creed & Formica
1329 Highland Avenue
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(781) 449-4600

Dated:

5/31/05

EXHIBIT "A"

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CERTIFICATE OF SERVICE

I, Deborah Rizzotto, hereby certify that on this date I caused a true copy of the NOTICE OF APPEAL to be served on the following by first class mail, postage prepaid:

David B. Madoff, Esquire
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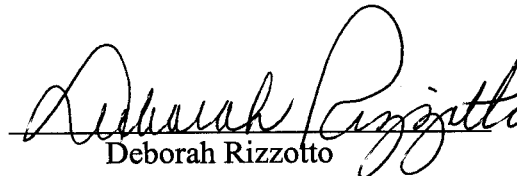
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Deborah Rizzotto

Dated: 5/31/05